

REMARKS

This is in response to the non-final Official Action currently outstanding with regard to the above-identified application.

Claims 1-37 were originally filed. Claims 1-27 have been canceled, without prejudice. By the foregoing Amendment Claims 28-36 have been amended, Claims 38-47 have been added. Accordingly, upon the entry of the foregoing Amendment, Claims 28-47 will constitute the claims under active prosecution in this application. No new matter has been introduced into this application as a result of the foregoing Amendment

The claims of this application as they will stand upon the entry of the foregoing amendment are set forth hereinabove pursuant to the new format for Amendments established by the United States Patent and Trademark Office.

More particularly, in the currently outstanding Official Action, the Examiner has:

1. Acknowledged Applicants' claim for foreign priority under 35 USC 119(a)-(d) or (f), and also acknowledged the receipt of the required certified copy of the priority documentation by the United States Patent and Trademark Office.
2. Provided Applicants with a copy of a Notice of References Cited (Form PTO-892) and copies of each of the references cited therein.

3. Acknowledged Applicants' Information Disclosure Statement by providing Applicants with a copy of the Form PTO-1449 that accompanied that filing duly signed, dated and initialed by the Examiner in confirmation of consideration of the art listed therein;
4. Indicated that the drawings originally filed with this application have been accepted;
5. Withdrawn Claims 1-27 from further consideration in this application based upon Applicants' oral response to an oral election requirement stated by the Examiner, and required Applicants to confirm their oral election in response to the currently outstanding Official Action;
6. Rejected Claims 28-37 under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that Applicants regard as their invention;
7. Rejected Claims 28-31 and 33-37 under 35 USC 102(e) as being anticipated by the Warnock, et al reference (US Patent No. 5,634,064);
8. Rejected Claim 32 under 35 USC 103(a) as being unpatentable over the Warnock, et al reference in view of the Ota reference (Japanese Patent No. 5-323941); and
9. Indicated that the prior art cited, but not applied against any of the claims, is deemed to be pertinent to Applicants' disclosure.

No further comment regarding items 1-4 and 9 above is deemed to be required in these Remarks.

With respect to item 5, the Examiner has required Applicants to elect one of the following groups of claims for further prosecution in this application on the basis that it is his belief that these groups are not linked so as to form a general inventive concept under PCT Rule 13.1:

Group I, Claims 1-15, drawn to a data-displaying device, and classified in class/subclass 345/858, wherein the visual confirmation guide is displayed to distinguish a specific area of data;

Group II, Claims 16-27, drawn to an electronic book displaying device, and classified in class/subclass 345/901, wherein a mental image outputting means and reading effect control means are included to output supplemental information regarding the displayed book data;

Group III, Claims 28-37, drawn to a data storage medium, and classified in class/subclass 345/784, wherein the data storage medium has display data recorded thereon for providing a scroll display on a display screen.

Applicants hereby confirm their oral election of the Group III invention for further prosecution in this application. Accordingly, Claims 1-27 have been canceled, without prejudice.

With respect to item 6, the Examiner has rejected Claims 28-37 under 35 USC 112, second paragraph, on the bases that (i) the phrase "the display data is recorded by every specified unit" does not make sense in the context of the claim, and (ii) the phrase "provided each" is unclear as to whether it modifies the term "display data" or the term "every specified unit".

By the foregoing Amendment, Applicants have extensively revised the wording of Claim 28 and carried that amended wording forward into Claims 32 and 35 that are now independent. Accordingly, it will be understood that that the wording to which the Examiner has objected has been cancelled in favor of the following new phraseology:

"...the display data is recorded in the form of pre-specified units, each pre-specified unit of display data including display information and scroll display control information..."

Applicants respectfully submit that this extensive rephrasing of Claim 28 and the carry through of that phraseology into newly independent Claims 32 and 35, remove the bases for the currently outstanding rejection under 35 USC 112, second paragraph. A decision so holding and withdrawing the outstanding rejection under 35 USC 112, second paragraph, in response to this communication is respectfully requested.

Further, the wording of new claim 38 also avoids the bases of the Examiner's currently outstanding rejection under 35 USC 112, second paragraph, because (i) the term "display data" is clearly defined; (ii) the claim indicates that the storage medium is computer readable; and (iii) the claim indicates that the display data is recorded on the storage medium in the form of distinct files each containing a preselected portion of the defined display data.

Accordingly, Applicants respectfully submit that new Claim 38 and the claims dependent from it also avoid the bases for the Examiner's currently outstanding rejection under 35 USC 112, second paragraph, and do not add any new matter to this application. A decision so holding and also withdrawing the currently outstanding rejection under 35 USC 112, second paragraph, in response to this communication is respectfully requested.

With respect to items 6 and 7, the Examiner has rejected (i) Claims 28-31 and 33-37 under 35 USC 102(e) as being anticipated by the Warnock, et al reference (US Patent No. 5,634,064), and (ii) Claim 32 under 35 USC 103(a) as being unpatentable over the Warnock, et al reference in view of the Ota reference (Japanese Patent No. 5-323941).

Applicants respectfully note that the Examiner appears to have cited the wrong section of Title 35 United States Code, Section 102 in the currently outstanding anticipation rejection. It is believed that the Examiner intended to rely upon section 102(b), rather than section 102(e), and Applicants further comments in these Remarks assume that section 102(b) is the basis of the Examiner's rejection. In any event, it is so well known as not to require citation of authority that in order to justify a rejection based upon alleged anticipation, the Examiner must show that each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Applicants respectfully submit that such is not the case in the present circumstances.

Specifically, the Warnock, et al. reference is directed to storing an ***entire document or the like*** in a computer memory as a so-called "PDF (Portable Document Format) document" wherein the image objects (content) are formatted, including the determination of page breaks. See, Warnock, et al., Column 5, Lines 10-62 and Column 6, lines 9-65). Thereafter, Warnock, et al. contemplate that any number of separate sections of the ***previously stored entire document or the like*** may be individually specified and linked with one another for viewing as "articles" in the so-called "Edit Article Sections And/Or Section Links" step (see, column 5, lines 63-65, and Column 6, line 66 to Column 8, line 20). These links are stored "within" the previously stored document (see, Column 7, lines 32-34).

The present invention, on the other hand, stores the display data associated with an entire document or the like, which includes image object data, management information associated with each stored image object data and scroll information associated with each object image data, in distinct, separately controllable pre-specified units (i.e., files) containing only a portion of all of the display data. This is different from the so-called dynamic formatting referred to by the Warnock, et al. reference as being unsatisfactory. Thus, it will be understood that in the present invention the management information and scrolling information associated with each image data object is maintained in association with it in the pre-specified unit (file) within which it is stored, and that a complete formatted document is reproduced using the management information and scrolling information of the various distinct units (files) in linked association with one another.

Therefore, it also will be understood that the present invention is different from the Warnock, et al. reference wherein the entire display information is stored together in one large file, thereby requiring the break up of the file content in order to create a scroll display of only an article contained therein. Hence, the present invention provides the advantages of separate files that may be reproduced in any defined sequence to create an "article" without the problems of so-called dynamic formatting. Further, the present invention avoids the large and complex document files contemplated by Warnock, et al. that have to be artificially broken down into component parts during the course of the display of an "article" (see the "Display and/or Navigate Article View" step of the Warnock, et al reference starting at Column 8, line 21).

Still further, it is to be recognized that the pre-selected units (files) of the present invention - defined as "a page" in the present specification - define their respective scroll path information in terms of co-ordinate values within a co-ordinate system defined by the pre-selected unit (file). Accordingly, the present invention allows complicated scroll paths to be laid out within each pre-selected unit which itself defines a complicated display information layout. Applicants respectfully submit that the Warnock reference is not capable of the establishment and display of scroll paths of the same complexity as the present invention. In addition, the present invention provides the capability of setting the scroll display speed at that intended by the original creator of the display data - a feature not taught, disclosed or suggested by either the Warnock reference or the Ota reference.

Finally, Applicants respectfully call the Examiner's attention to the fact that the foregoing amendment extensively rephrases substantially all of the claims that were pending at the time of the issuance of the currently outstanding Official Action and adds a companion set of new claims. The purpose of these amendments is to clarify the phraseology of the claims and to more distinctly define their respective scope. No new matter is introduced into this application by the foregoing amendments and the entry thereof is respectfully requested.

In view of the foregoing Amendment and Remarks, it is respectfully submitted that all of the claims that will be present in this application upon the entry of the foregoing Amendment now are in condition for allowance. Reconsideration and allowance of this application in response to this communication, therefore, is respectfully requested.

Applicants believe that additional fees are not required in connection with the consideration of this response to the currently outstanding Official Action. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge and/or credit Deposit Account No. **04-1105**, as necessary, for the correct payment of all fees which may be due in connection with the filing and consideration of this communication.

Respectfully submitted,

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By: David A. Tucker
David A. Tucker
Reg. No. 27,840
Attorney for Applicant(s)

EDWARDS & ANGELL, LLP
P.O. Box 9169
Boston, Massachusetts 02109
(617) 517-5508
335638v2